Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of	)	
	)	
Amendment of Section 97.3,	)	
97.9, 97.107, 97.119, 97.201,	)	
97.203, 97.205, 97.207,	)	
97.301, 97.305, 97.307,	)	RM-
97.313, 97.501, 97.503,	)	
97.505, 97.507, 97.511,	)	
97.513, 13.205 (a) (3)	)	
License Restructuring of the	)	
Amateur Radio Service and	)	
Morse Code credit for the	)	
Second Class Radiotelegraph	)	
License.	)	

PETITION FOR RULE MAKING

By: The Cass County (Indiana) Amateur Radio Club, Inc., an Indiana not for profit corporation dedicated to the furtherance of the Amateur Radio Service and in service to our community since 1953, and the owners and operators of Amateur Radio Club Station W9VMW and two VHF and one UHF Amateur Radio Repeater Stations.

To the Commission:

I. INTRODUCTION

1. In this "Petition for Rule Making" (Petition) it is proposed that the number of license classes be reduced to three and that Amateur Service licensees be given greater freedom to fully utilize the Amateur Service HF spectrum. It is further proposed that the individual Amateur Service license be redefined as an operator license only. This would remove the restriction of section 307 (c) of the "Communications Act," 47 USC section 307 (c) imposing a 10 year limit on the term of a "Station License." Extend the term of said "Operator License" to the "lifetime of the holder" just like several of the Commercial Operator Licenses and Permits (see part 13.15 (b) of the Rules, 47 CFR Section 13.15 (b)) unless it is either revoked or suspended by the Commission, superseded by a higher class license, or voluntarily submitted for cancellation by the licensee. Due to their very nature a "Club Station License," a "RACES Station License," and a "Military Recreation Station License" will remain Station Licenses only and continue to be subject to the 10 year term limit imposed on Station Licenses by the "Communications Act."

2. This Petition presents data obtained by Fred Maia, W5YI, which demonstrates that the amateur community does, in fact, desire license simplification along the general line proposed herein. A letter from David Sumner, Executive Vice-President of the American Radio Relay League, Inc., is also presented as an exhibit demonstrating that the League is aware of a desire on the part of the Amateur Community for simplification. FCC Office of Plans and Policy reports are used to demonstrate that the policy known as "Incentive Licensing" has never worked and may have, in fact, been counterproductive and has never been supported by the bulk of Amateur Service Licensees.

II. PROPOSAL

3. Reduce the number of license classes from five to three: Novice, Technician, and General. Licensees currently holding the Advanced Class and Amateur Extra Class would be allowed to retain their license class, though with no additional privileges above General Class which becomes the defacto top grade license. Allow, through the VE system, for a 20 WPM endorsement which could be added as a "special condition" on an existing or new General Class License or an existing Advanced Class License with no additional privileges.

4. Restructure the test elements as follows: Element 1A Morse Code at the rate of five words per minute, Element 1C Morse Code at the rate of Twenty words per minute, Element 2 rules and regulations, good Amateur radio practice, and Amateur station operating procedure (35 questions), Element 3 Safety (25 questions), and Element 4 covering the various technical topics of the current examination elements 2 and 3 (40 questions). The element 4 questions breaking down as follows: Radio wave propagation characteristics of the amateur service frequency bands, 4 questions; Electrical principals as applied to amateur station equipment, 8 questions; Amateur station equipment circuit components, 6 questions; Practical circuits employed in amateur station equipment, 10 questions; Signals and emissions transmitted by amateur stations, 6 questions; Amateur station antennas and feed lines, 6 questions.

5. Change the license requirements as follows: The Novice Class License, elements 1A, 2, and 3; the Technician Class License, elements 2, 3, and 4; the General Class License, elements 1A, 2, 3, and 4; The General Class License with 20 WPM Endorsement, elements 1C, 2, 3, and 4; A current Advanced Class License plus passage of Element 1C for an Advanced Class License with 20 WPM Endorsement. (This proposal will necessarily effect the Morse Code Examination Credit for license held Rule for Commercial Telegraphy licenses, Section 13.205 (a) (3), See Appendix)

6. The operator privileges of the three license classes as follows: The Novice Class modes A1A, A3E, J3E, R3E, and F3E in the 160 meter Amateur Service Band 200 watts PEP maximum; mode A1A in the 80-75 meter, 40 meter, 30 meter, and 15 meter Amateur Service Bands 200 watts PEP maximum; modes A1A, A3E, J3E, R3E, and F3E in the 10 meter Amateur Service Band 200 watts PEP maximum with no Special Operations privileges as described in Subpart C of the Rules; modes A1A, A3E, J3E, R3E, and F3E 25 watts PEP maximum on all Amateur Service frequencies between 30 MHz and 450 MHz with no Special Operations

privileges as described in Subpart C of the Rules; the Technician Class full privileges in all Amateur Service frequencies above 30 MHz; the General Class full privileges in all Amateur Service frequencies; the old Advanced Class and Amateur Extra Class - same as General Class.

7. All Amateur Service licensees retain their current license classes except holders of a Technician Class license issued prior to February 14, 1991 and holders of a Technician Class license issued on or after February 14, 1991 who also hold a Certificate of Successful Completion of Examination indicating that element 1A has been successfully passed. These Technician Class Licensees may operate as if they were General Class until the expiration of their current license and they will be issued a General Class license upon renewal or modification. Present Novice Class Licensees may upgrade to General Class by passing the Element 4 proposed herein. Present Technician Class Licensees who have not passed Element 1A may upgrade to General Class by passing Element 1A.

8. All new individual Amateur Service licenses will be operator licenses only and will be issued for the lifetime of the holder unless suspended or revoked by the Commission, superseded by a higher class license, or submitted for voluntary cancellation by the licensee.

9. Holders of a current First or Second Class Radiotelegraph license or a license which is expired less then 5 years will receive element credit for elements 1C and 4. Holders of a current General Radiotelephone License or a GMDSS Radio Maintainer's license or a license which is expired less then 5 years, or a PPC indicating passage of Element 3 within the previous 365 days will receive element credit for element 4. Holders of a PPC indicating passage of Commercial telegraphy elements 1 and 2 within the previous 365 days will receive credit for element 1C.

10. All band plans mandated by Commission Rules on Amateur Service frequencies below 30 MHz will be eliminated. Any mode which can be legally transmitted in the Amateur Service MF and HF spectrum may be transmitted anywhere within the Amateur Service MF and HF spectrum except in the 30 meter Amateur Service band which is limited to narrow bandwidth modes.

11. Redefine the individual amateur radio license as an operator license only with the callsign identifying the operator like a license number identifies a commercial operator. This will remove the present 10 year term limit on Station Licenses required by Section 307 (c) of the "Communications Act," 47 USC Section 307 (c).

12. Establish a new 1600 meter LF Amateur Band with a power limit of 100 Watts ERP PEP Morse Code Telegraphy, RTTY, and authorized Data modes on a secondary basis with the Amateur Station being required to take what ever steps (including ceasing operation) to eliminate harmful interference to any established carrier current service and having no protection from harmful interference from established carrier current services.

13. The attached appendix contains the proposed amendments to the Commission

Rules necessary to implement this proposal.

III. DISCUSSION

14. Past petitions along this general line have failed because the Commission believes that "insufficient evidence was presented to justify revisiting matters which were the subject of major rule making proceedings in the past which generated many thousands of comments from the amateur community." This discussion will deal with this matter first.

15. Working Paper No. 20 dated August 20, 1986 by the FCC Office of Plans and Policy states in part, ". . . not all communications in the Amateur Radio Service must pertain to personal development. Recreational communications are permissible, as are many communications relating to matters of personal expedience and public welfare. The Commission's mandate to allocate frequencies in the public interest requires periodic re-examination of amateur radio service regulations and policies to determine whether they continue to serve the public interest." It is the opinion of the petitioners that the policy known as "Incentive Licensing" has never served the public interest, has never been desired by the bulk of amateur service licensees even though the American Radio Relay League, Inc. clings to it tenaciously, and is reducing the effectiveness of the Amateur Radio Service in serving the public. Since the Commission's mandate requires the "periodic re-examination of amateur radio service regulations and policies to determine whether they continue to serve the public interest" the time has come, in fact is long past, when policy known as "Incentive Licensing" should be re-examined and scrapped. Evidence and arguments will be introduced in this discussion to support this position.

16. Did the amateur community want incentive licensing in 1967 when it was first proposed and championed by the American Radio Relay League, Inc.? To answer this one only need look at the events which followed the release of the final FCC order which established incentive licensing on August 29, 1967. A commentary on these events was made by Fred Maia, W5YI, in his regular feature in CQ Magazine, "Washington Readout" in the November 1992 issue, Vol. 48, No. 11, page 120: "The average ham was *outraged!* The result was absolute pandemonium among General Class amateurs - far more than anyone thought possible. The American Radio Relay League was targeted as having not looked after the interests of the majority of operators. Membership took a nose-dive. ***One thing became apparent instantly: The bulk of existing amateurs certainly did not think Incentive Licensing was a good idea.***"

17. Has "Incentive Licensing," the system of forced motivation through government regulations, worked? Not according to research conducted by the FCC in 1981, more then 13 years after it took effect. Working Paper No. 6 by the Office of Plans and Policy states in part: "The rules that exist today . . . do far less then they could to encourage amateur ingenuity . . . in some cases, regulation may positively have discouraged technical progress." The conclusion of the researchers is to: ". . . propose a new regulatory approach . . . with the fewest possible restrictions on users, uses, and technologies, in order to allow innovation, technological change,

and maximize user choice." This is the entire thrust of this Petition for Rule Making.

18. Does the amateur community want incentive licensing today? Fred Maia, W5YI, stated in the "Washington Readout" in the January 1993 issue of CQ Magazine, Vol. 49, No. 1, page 120: "No CQ column has ever created as much controversy among the amateur community as the one we did for the November 1992 issue suggesting that it might be time to streamline the Amateur Service. You will remember that we floated an idea which would reduce the number of amateur classes from six to three, and license examinations from eight to five." (The petitioners contend that when all *four* flavors of the present Technician class are considered: The pre March 21, 1987 Technician which has Novice HF privileges and only requires passage of element 1B to upgrade to General Class; the Technician License issued on or after March 21, 1987 but before February 14, 1991 which has Novice HF privileges but which requires passage of both elements 1B and 3B to upgrade to General Class; the Technician license issued on or after February 14, 1991 which has no HF privileges, the so called "Tech Soft"; and the Technician issued on or after February 14, 1991 who also has a CSCE for element 1A who has Novice HF privileges, the so called "Tech Plus;" that there are in reality eight different license classes.) The result of all this controversy has been a great deal of mail, Email, packet messages, and telephone traffic directed to Fred Maia. When the petitioners contacted Mr. Maia's office in mid March of 1993 it was reported that it had received about 1,800 pieces of correspondence responding to the November 1992 article with "more coming in every day" and the comments ran solidly in favor of his proposed change by a margin of three to one. It appears that the amateur community does *not* want Incentive Licensing today, either. The plan proposed in this Petition for Rule Making is similar to the idea floated by Mr. Maia in most important respects.

19. Concerning the kinds of objections to this Petition for Rule Making which should ***not*** be considered, the FCC Office of Plans and Policy August 1986 research paper, "Alternatives for Improved Personal Communications" states: "Another possible explanation for **questionable barriers** to entry in the Amateur Radio Service is that those who have attained the higher license classes with some level of difficulty would naturally object to rule changes that would have the effect of making access to their operating privileges easier. **This attitude, while understandable, is nevertheless unreasonable**, and it acts to inhibit meaningful restructuring of the service consistent with current circumstances. Another obstacle to worthwhile reregulation may be based on the belief of current licensees that otherwise **inappropriate barriers** to access should be retained in order to inhibit frequency congestion." (emphases added)

20. In "The Washington Readout" in the April 1993 issue of CQ Magazine (vol. 49, no. 4, page 128-136), Fred Maia reported on the correspondence he had received (as of about February 1, 1993 due to publication lead time). Though there were other reasons cited by some of the approximately 25% of respondents who were opposed, many if not most of the comments were in the vein of: "I did it so everybody should," or "This will add to congestion in the HF bands." Both of these arguments should be rejected by the Commission according to it's own research report "Alternatives for Improved Personal Communications." We reject those arguments though this would not seem to be in the best interest of many of us as our membership is about 20% Extra Class licensees.

21. There is in fact precedence in the history of amateur radio licensing in the United States for a 5 wpm Morse code test as a requirement for a license which gave to its holder full amateur privileges. From 1912 to 1919 the Amateur First Grade license required a 5 wpm Morse code test and this at a time when the only form of practical radio communications available used Morse Code. This only went up to 10 wpm in 1919 and finally up to 13 wpm in 1936. There is nothing sacred about any of these code speeds. They are, in fact, just numbers pulled out of the air. The 5 wpm Morse code test proposed here meets the letter and the spirit of current ITU regulation 2735 which states: "Any person seeking a license to operate the apparatus of an amateur station shall prove that he is able to send correctly by hand and receive correctly by ear texts in Morse code signals. The administrations concerned may, however, waive this requirement in the case of stations making exclusive use of frequencies above 30 MHz." There is no speed mentioned in this regulation. Since Morse code is no longer used by the military or in the maritime service (see PR Docket Number 90-480) maintaining a pool of expert telegraphers is no longer a national security issue. Both the International Maritime Organization and now the U.S. Coast Guard have discontinuing manual CW. "Effective August 1, 1993, all U.S. Coast Guard Communications Stations and Cutters will discontinue watchkeeping on the distress frequency 500 KHz and will cease all Morse code service in the medium frequency radiotelegraphy band." (Notice to Mariners, January 5, 1993, U.S. Coast Guard) In view of the foregoing have not Morse code requirements in the Amateur Radio Service above 5 words per minute become "**questionable** barriers to entry in the Amateur Radio service" and are they not just "**inappropriate** barriers to access . . . retained in order to inhibit frequency congestion." ("Alternatives for improved personal Communications" FCC Office of Plans and Policy, August 1986) Manual CW is a technology belonging to the nineteenth century not the twenty-first century and will, sooner or later, be relegated to the "scrapheap of history" along with the other *ancient* and once beloved technologies.

22. This petition, if approved, would bring the license requirements of the Amateur Radio Service of the United States in line with the requirements of most other countries. That most other countries have just three license classes, a beginning or novice class, a VHF-UHF only class, and an all band class, can be seen by looking through the Callbook Magazines. As to requirements, we only know of one other country, Belgium, which has a 20 wpm Morse code requirement for a top grade license. The top grade licenses typically require LESS then 13 wpm usually around 10 wpm. Among major English speaking countries Canada and South Africa require 12 wpm for their top grade licenses and Australia only requires 10 wpm. Many other countries require even less.

23. In 1992 the New Zealand Association of Radio Transmitters, NZART, the national amateur radio society of New Zealand (their equivalent of the ARRL), proposed that a "code free" General Grade license be created stating that, ". . . in this day and age, there should be alternative ways to qualify for a General Grade." In rejecting the idea New Zealand's Ministry of Commerce - Communications (their equivalent of the FCC) cited ITU regulations and the possible adverse impact this could have on reciprocal license agreements. This petition for rule making is therefore far less "radical" then the proposal of the NZART.

24. The Amateur Radio Service of the United States has what is by far the world's most complex license structure. Almost everybody agrees that the present license structure is overly complex and this petition provides the maximum reasonable simplification of the license structure and licensing process. Even the League realizes that the present system is overly complex. League executive vice president David Sumner stated in a letter to William C. Wells, licensee of amateur radio station WA8HSU dated December 13, 1990, "There is substantial agreement in principle with the idea that the present system is overly complex." (see exhibit A) The Commission would be relieved of the burden of processing many license upgrades, in fact the maximum would be one license upgrade per licensee per lifetime plus the possibility of a 20 WPM endorsement and eventually all license renewals. Since the Advanced Class and the Amateur Extra Class licenses would still technically exist, this plan could be implemented without a software change. In this day of massive deficits we should seek every possible way to reduce the cost of government and this plan would certainly reduce the administrative cost of the Amateur Radio Service and allow the Commission to shift its resources to other services which, in general, need more regulation than the Amateur Radio service.

25. Concerning the restriction in Section 307(c) of the "Communications Act," 47 USC Section 307(c), which provides a statutory limit on the term of a **station** license, the petitioners contend that the individual amateur radio license is a defacto operator license only. Consider this: The Rules no longer require that the Commission be notified of **any** mobile or portable operation and it is not possible to obtain a secondary station license for a **permanent** station established in another location, furthermore, the most important item according to the Commission is a correct **mailing** address. It was also recently announced that the new form 610 will not even ask for a station location and that effective March 1, 1993 the FCC will not even look at line 2H (change of station location) or line 8 (current station location) of the current form 610 which may continue to be used indefinitely. Because of this the individual amateur radio license is in fact ***only an operator license*** any claim of FCC form 660 to the contrary notwithstanding. It can, therefore, be changed to an operator license only by simply redefining it as such. A club license, RACES license, or military recreation license on the other hand is clearly a station license only, providing no operator privileges to the custodian/trustee and therefore subject to the ten year term limit of 47 USC Section 307(c). Does it make any sense for a commercial licensee who presumably has money and/or lives resting on many of his actions or inactions to be issued a license for life while an amateur licensee who, it is true, may have money and lives resting on his actions or inactions **occasionally** but for the most part is engaged only in "self-training, intercommunication and technical investigation" and recreation to be issued a license only for 10 year term? If a way of purging the rolls of deceased Amateur Service licensees is needed the simple addition of a Social Security Number to FCC records will provide an easy and highly automated way to accomplish this.

26. Amateur radio presents a number of hazards to its followers that are unique such as high RF voltages and fields, high DC voltages with high stored energy, the hazards of antennas and towers, etc. Since Amateur Radio can be hazardous it is the duty of the Commission to prepare prospective licensees through the examination process to **safely** exercise the duties of an Amateur Service licensee. By devoting an entire examination element to safety

this plan would promote safety awareness. Since the Amateur Radio press has had the sad duty to report on the death of several Amateur Service licensees including Amateur Extra Class licensees in the last few years for failure to follow basic safety procedures the elevation of safety to a complete examination element unto itself is essential.

27. By having an examination element devoted to rules and regulations, good Amateur Radio Practice, and Amateur station operating procedure the amateur community could feed back problems of Rules compliance, poor Amateur Radio Practice, and poor operating procedure into the examination process. This would enhance Amateur Radio's long standing tradition of self regulation. This would also supply a ready made test element to test visiting foreign operators (see PR Docket Number 92-167) if this idea is ever given any further consideration.

28. This petition, if approved, would eliminate the controversy over element credit for the handicapped for the 13 or 20 wpm Morse code test as Morse code *requirements* above 5 wpm would no longer exist. (see letter from John B. Johnston to the W5YI VEC, dated August 28, 1992, Reply Refer to number 7230-D 1700C1, exhibit B)

29. Since the question pool for the Commercial license written element 3 is now based upon the current Amateur elements 3 and 4 question pools with more then 50% of its questions being lifted verbatim from the amateur question pools, an applicant who has passed commercial license requirements for a General Radiotelephone License, a First or Second Class Radiotelegraph License, or a GMDSS Radio Maintainer's License has already exceeded the requirement for the element 4 proposed herein.

30. By maintaining a band plan in the Rules the Commission has caused certain portions of the Amateur Service HF bands to be much more heavily utilized then other portions. Also in certain cases this has led to more interference and poorer spectrum utilization. As an example consider the situation on the 40 meter band. If a station on the US mainland wants to communicate with a station outside of ITU region 2 using radiotelephone they must do so on two different frequencies. This is poor spectrum utilization and can led to needless interference since neither station is monitoring his own transmitter frequency. If given the opportunity to do so the US amateur community would align itself with the clearly recognized international voluntary band plans. This would also allow the flexibility to deal with changing band or operating conditions. On the 160 meter band such a system is in place now and the voluntary band plan is generally respected. On the 75 meter band even when there is overcrowding the recognized DX window of 3.790 MHz to 3.800 MHz is generally respected. Canadian amateur operators have had this freedom for some time and have generally observed the internationally recognized voluntary band plans. The removal of band plans mandated in the Rules is in harmony with the conclusions reached in Working Paper No. 6 back in 1981. Also since the repeated failure to follow recognized international voluntary band plans is in fact "poor amateur practice" it would continue to be actionable under 97.101 (a) of the Rules, 47 CFR Section 97.101 (a).

31. By restricting Novice Class licensees in the manner proposed herein they would

be given a strong incentive to upgrade and they would be exposed to the general amateur population at the same time. This would also increase the utilization of the 160 meter and the 6 meter Amateur Service bands which have the tendency to be underutilized. Since even 25 watts on the 23 CM band can be extremely hazardous Novice Class licensees should not be permitted in this band since they have not demonstrated through the examination process either under the present license structure and even more so under the license structure proposed herein that they can *safely* operate on this or higher bands. Also Novice Class licensees have not demonstrated through the examination process the technical expertise to be permitted *any* "Special Operating privileges" as defined in Subpart C of the Rules. So though a Novice Class licensee may *use* a repeater or auxiliary station he should not be permitted to *operate* such a station.

32. The current rule restricting operation of a Space Station to holders of an Extra Class license makes no sense because the only persons who will actually operate in space are Astronauts for whom this rule is routinely waived.

33. The 1600 meter band proposed herein would provide a band for experimentation with ultra-low bandwidth modes such as single sideband suppressed carrier telegraphy and data modes such as J1A J1D or J2D etc. which, if developed, would represent a significant advancement of the radio art.

IV. APPENDIX

13.205 (a) (3) An unexpired or within the grace period FCC-issued Amateur Extra Class operator license or an FCC-issued Amateur General or Advanced Class operator license bearing the 20 WPM Endorsement: Telegraphy Elements 1 and 2.

97.3 Definitions.

(a) The definitions of terms used in Part 97 are:

(30) PPC. Proof-of-Passing Certificate. The Commercial Operator License equivalent of a CSCE. See Section 13.3 (g) and 13.205 (a) (2) of these rules.

old (30) through (38) renumber each down by 1.

(40) Station License. Within this part, the term station license refers to one of the following:

(a) An individual Amateur Radio Operator License, an Operator License only.

(b) A Club Station License, a Station License only which conveys to its trustee no operator privileges.

(c) A RACES Station License, a Station License only which conveys to its custodian no operator

privileges.

(d) A Military Recreation Station License, a Station License only which conveys to its custodian no operator privileges.

old (39) through (44) renumber each down by 2.

97.9 Operator License.

(a) There are 3 classes of operator licenses: Novice, Technician, and General. Holders of the old Advanced and Amateur Extra Class licenses will be allowed to retain their previous license class with no additional privileges above General Class privileges and will be considered as General Class licensees for the purposes of these Rules. All references to the General Class license within these Rules include Advanced Class and Amateur Extra Class as well as General Class. By passing element 1C a holder of a General or Advanced Class operator license may receive a 20 WPM endorsement as a "Special Condition" on his operator License. An operator license authorizes the holder to be the control operator of a station with the privileges of the operator class specified on the license. The license document or a photocopy thereof must be in the personal possession of the licensee at all times when the licensee is the control operator of a station. Holders of a Technician Class license issued prior to February 14, 1991 or a Technician Class license issued on or after February 14, 1991 who also hold a CSCE indicating successful completion of Element 1A are considered to be a General Class licensees under these Rules and may submit their license or license plus CSCE at any time up to two years after expiration to a VE team for element credit for a General Class operator license. The VE system will be the renewal vehicle for such licensees. The license term for all new operator licenses issued will be the life of the operator unless suspended or revoked by the Commission, superseded by a higher class operator license, submitted for voluntary cancellation by the licensee.

(b) A person holding a Novice Class license who holds a CSCE indicating that the person completed the element 4 examination within the previous 365 days or a person holding a Technician Class license who holds a CSCE indicating that the person completed the element 1 examination within the previous 365 days may exercise the privileges of a General Class licensee

97.107 Alien control operator privileges.

(a) (3) The applicable provisions of the Commission Rules, but not to exceed the control operator privileges of an FCC-issued General Class Operator License.

(b) (3) The applicable provisions of the Commission Rules, but not to exceed the control operator privileges of an FCC-issued General Class Operator License and

97.119 Station identification.

(e) When the control operator is a person who is exercising the rights and privileges authorized by 97.9(b) of this Part, the indicator "AG" must be included after the operator call sign.

97.201 Auxiliary station.

(a) Any amateur station licensed to a holder of a Technician or General Class operator license may be an auxiliary station subject to the privileges of the class of operator license held.

97.203 Beacon station.

(a) Any amateur radio station licensed to a holder of a Technician or General Class Operator License may be a beacon. A holder of a Technician or General Class Operator License may be the control operator of a beacon, subject to the privileges of the class of the operator license held.

97.205 Repeater station.

(a) Any amateur station licensed to a holder of a Technician or General Class operator licensee may be a repeater. A holder of a Technician or General Class Operator License may be the control operator of a repeater, subject to the privileges of the class of operator license held. The holder of a Novice Class operator license may use a repeater which is licensed to a Technician or General Class licensee including its user functions provided both its input and output frequency or frequencies are available to holders of a Novice Class Operator License.

97.207 Space station.

(a) Any amateur station licensed to a holder of a Technician or General Class Operator License may be a space station. A holder of a Technician or General Class Operator License may be the control operator of a space station, subject to the privileges of the class of operator license held by the control operator.

97.301 Authorized frequency bands.

(a) For a station having a control operator holding a Technician or General Class Operator License:

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See 97.303, Paragraph:
VHF	MHz	MHz	MHz	
6 m	---	50-54	50-54	(a)
2 m	144-146	144-148	144-148	(a)
1.25 m	---	222-225	---	(a)

UHF	MHz	MHz	MHz	
70 cm	430-440	420-450	420-450	(a), (b), (f)
33 cm	---	902-928	---	(a), (b), (g)
23 cm	1240-1300	1240-1300	1240-1300	(j)
13 cm	2300-2310	2300-2310	2300-2310	(a), (b), (j)
-do-	2390-2450	2390-2450	2390-2450	(a), (b), (j)
SHF	GHz	GHz	GHz	
9 cm	---	3.3-3.5	3.3-3.5	
5 cm	5.650-5.850	5.650-5.925	5.650-5.850	(a), (b), (m)
3 cm	10.00-10.50	10.00-10.50	10.00-10.50	(a), (b), (c), (i), (n)
1.2 cm	24.00-24.25	20.00-24.25	24.00-24.25	(a), (b), (i), (o)
EHF	GHz	GHz	GHz	
6 mm	47.0-47.2	47.0-47.2	47.0-47.2	
4 mm	75.5-81.0	75.5-81.0	75.5-81.0	(b), (c), (h)
2.5 mm	119.98-120.02	119.98-120.02	119.98-120.02	(k), (p)
2 mm	142-149	142-149	142-149	(b), (c), (h), (k)
1 mm	241-250	241-250	241-250	(b), (c), (h), (q)
---	above 300	above 300	above 300	(k)

(b) For a station having a control operator holding a General Class Operator License:

Wavelength Band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See 97.303, Paragraph:
LF	KHz	KHz	KHz	
1600 m	160-200	160-200	160-200	(r)
MF	KHz	KHz	KHz	
160 m	1810-1850	1800-2000	1800-2000	(a), (b), (c)
HF	MHz	MHz	MHz	
80 m	3.50-3.75	3.50-3.75	3.50-3.75	(a)
75 m	3.75-3.80	3.75-4.00	3.75-3.90	(a)
40 m	7.0-7.1	7.0-7.3	7.0-7.1	(a)
30 m	10.10-10.15	10.10-10.15	10.10-10.15	(d)
20 m	14.00-14.35	14.00-14.35	14.00-14.35	

17 m	18.068-18.168	18.068.18.168	18.068-18.168
15 m	21.00-21.45	21.00-21.45	21.00-21.45
12 m	24.89-24.99	24.89-24.99	24.89-24.99
10 m	28.0-29.7	28.0-29.7	28.0-29.7

(c) (delete old (c))

(d) (delete old (d))

(e) (delete old (e))

(f) (delete old (f))
(c) For a station having a control operator holding a Novice Class Operator License:

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements see 97.303, Paragraph:
MF	KHz	KHz	KHz	
160 m	1810-1850	1800-2000	1800-2000	(a), (b), (c)
HF	MHz	MHz	MHz	
80 m	3.50-3.75	3.50-3.75	3.50-3.75	(a)
75 m	3.75-3.80	3.75-4.00	3.75-3.90	(a)
40 m	7.0-7.1	7.0-7.3	7.0-7.1	(a)
15 m	21.00-21.45	21.00-21.45	21.00-21.45	
10 m	28.0-29.7	28.0-29.7	28.0-29.7	
VHF	MHz	MHz	MHz	
6 m	---	50-54	50-54	(a)
2 m	144-146	144-148	144-148	(a)
1.25 m	---	222-225	---	(a)
UHF	MHz	MHz	MHz	
70 cm	430-440	420-450	420-450	(a), (b), (f)

97.303 (r) No amateur station transmitting in the 160-200 KHz band is protected from harmful interference from and must not cause harmful interference to any established carrier current radio service operating in this frequency range.

97.305 (c) A station may transmit the following emission types on the frequencies indicated,

as authorized to the control operator, subject to the standards specified in 97.307 (f) of this Part.

Wavelength band	Frequencies authorized	Emission types	Standards See 97.307 (f) Paragraph:
LF:			
1600 m	Entire band	RTTY, data	(3)
MF:			
160 m	Entire band	RTTY, data	(3)
-do-	Entire band	Phone, image	(1), (2), (10)
HF:			
80 m	Entire band	RTTY, data	(3), (9)
-do-	Entire band	Phone, image	(1), (2)
75 m	Entire band	RTTY, data	(3), (9)
-do-	Entire band	Phone, image	(1), (2)
40 m	Entire band	RTTY, data	(3), (9)
-do-	Entire band	Phone, image	(1), (2)
30 m	Entire band	RTTY, data	(3)
20 m	Entire band	RTTY, data	(3)
-do-	Entire band	Phone, image	(1), (2)
17 m	Entire band	RTTY, data	(3)
-do-	Entire band	Phone, image	(1), (2)
15 m	Entire band	RTTY, data	(3), (9)
-do-	Entire band	Phone, image	(1), (2)
12 m	Entire band	RTTY, data	(3)
-do-	Entire band	Phone, image	(1), (2)
10 m	Entire band	RTTY, data, MCW	(3), (9), (12)
-do-	Entire band	Phone, image	(1), (2), (10)
VHF:			
6 m	50.1-51.0 MHz	MCW, phone, image, RTTY, data	(2), (5), (10)
-do-	51.0-54.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), (10)
2 m	144.1-148.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), (10)
1.25 m	Entire band	MCW, phone, image, RTTY, data, test	(2), (5), (10)
UHF:			
70 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(6), (8),(10)
33 cm, 23 cm, 13 cm			

NO CHANGE EXCEPT references to 97.307 (f)(12) change to 97.307 (f)(11)

SHF, EHF:

NO CHANGE EXCEPT references to 97.307 (f)(12) change to 97.307 (f)(11)

97.307 Emission Standards.

(f) (9) A station having a control operator holding a Novice Class Operator License may only transmit a CW mission using the international Morse Code.

(f) (10) A station having a control operator holding a Novice Class Operator License may only transmit a CW emission using the international Morse code or phone emissions A3E, J3E, R3E, and F3E.

(f) (11) Delete

(f) (12) Renumber to (f) (11)

(f) (12) MCW may only be used in the 10 meter Amateur Service band for identification of a station operating as a repeater or remote base.

97.313 Transmitter power standard.

(c) No station may transmit with a transmitter power exceeding 200 W PEP on:

(1) Below 30 MHz when the control operator is a Novice Class licensee.

(2) 10.10-10.15 MHz

(3) The 7.050-7.075 MHz segment when the station is within ITU Regions 1 or 3.

(d) No station may transmit with a transmitter power exceeding 25 W PEP between 30 MHz and 450 MHz when the control operator is a Novice Class licensee.

(e) Delete

(f) Renumber to (e)

(g) Renumber to (f)

(g) No station may operate with an effective radiated power in excess of 100 watts in the 160-200 KHz band.

97.501 Qualifying for an amateur operator license. An applicant must pass an examination for the issuance of a new amateur operator license and for each change in operator class. Each

applicant for the class of operator license specified below must pass, or otherwise receive credit for, the following examination elements:

(a) Novice Class license: Elements 1A, 2, and 3;

(b) Technician Class license: Elements 2, 3, and 4;

(c) General Class license: Elements 1A, 2, 3, and 4;

(d) The Advanced Class and Amateur Extra Class licenses are no longer available.

(e) A 20 WPM endorsement may be added to a General or Advanced Class License by passing element 1C.

97.503 Element Standards.

(a) Element 1A a telegraphy examination sufficient to prove that the examinee has the ability to send correctly by hand and to receive correctly by ear texts in the international Morse code at not less then 5 words per minute using all the letters, numerals 0-9, period, comma, question mark, slant mark, and the prosigns AR, BT, and SK. The test message will be a minimum of 5 minutes in length. Each letter counts as 1 character. Each punctuation mark, numeral, or prosign counts as 2 characters. The applicant passes if 25 consecutive characters are copied. If the applicant fails to copy 25 consecutive characters correctly the VEs are to administer a 10 question fill in the blank or multiple choice quiz on the content of the message. The minimum passing score on the quiz is 7 questions answered correctly. In the case of a handicapped applicant the examiners will administer the examination at a place convenient and comfortable to the examinee, even bedside. For a deaf person, the dots and dashes can be sent to a vibrating surface or a flashing light. The examiners may read the questions to a blind person. The examiners also may write for the examinee where the examinee is unable to do so. Where warranted, the examiners pause in sending the message after each sentence, each phrase, each word, or each letter to allow the examinee additional time to absorb and interpret what was sent. Also the examiners may substitute a sending test for a receiving test where the examinee's particular handicap precludes a receiving test.

(b) Element 1C a telegraphy examination sufficient to prove that the examinee has the ability to send correctly by hand and receive correctly by ear texts in the international Morse Code at not less then 20 words per minute using all the letters, numerals 0-9, period, comma, question mark, slant mark, and the prosigns AR, BT, and SK. The test message will be a minimum of 5 minutes in length. Each letter counts as 1 character. Each punctuation mark, numeral, and prosign counts as 2 characters. The applicant passes if 100 consecutive characters are copied correctly. If the applicant fails to copy 100 consecutive characters correctly then the VEs are to administer a 10 question fill in the blank or multiple choice quiz on the content of the message. The minimum passing score on the quiz is 7 questions answered correctly.

(b) A written examination must be such as to prove that the examinee possesses the operational and technical qualifications required to safely and properly perform the duties of an amateur service licensee. Each written examination must be comprised of a question set as follows:

(1) Element 2: Rules and regulations, good Amateur radio practice, and Amateur station operating procedure (35 questions). The minimum passing score is 26 questions answered correctly.

(2) Element 3: Safety considerations for radio equipment, high voltage, antennas, RF fields, etc. (25 questions). The minimum passing score is 18 questions answered correctly.

(3) Element 4: Radio wave propagation characteristics, 4 questions; Electrical principals as applied to amateur station equipment, 8 questions; Amateur station equipment circuit components, 6 questions; Practical circuits employed in amateur station equipment, 10 questions; Signals and emissions transmitted by amateur stations, 6 questions; Amateur station antennas and feed lines, 6 questions; total 40 questions. The minimum passing score is 30 questions answered correctly.

97.505 Element credit.

(a) The administering VEs must give credit as specified below to an examinee holding any of the following documents:

(1) A Novice Class license: Element 1A, 2, and 3.

(2) A Technician Class license issued on or after February 14, 1991:
Elements 2, 3, and 4.

(3) A Technician Class license issued on or after February 14, 1991 with a CSCE of any age indicating the applicant has passed element 1A: Elements 1A, 2, 3, and 4. Such applicant will be processed for renewal of license as a General Class licensee without an examination.

(4) A Technician Class license issued prior to February 14, 1991: Elements 1A, 2, 3, and 4. Such applicant will be processed for renewal of license as a General Class licensee without an examination.

(5) A photocopy of a FCC Form 610 which was submitted to the FCC indicating the examinee qualified for a Novice Class license within the previous 365 days: Element 1A, 2, and 3.

(6) A CSCE: Each element the CSCE indicates the examinee passed within the previous 365 days.

(7) An unexpired (or expired less then 5 years) First or Second Class commercial radiotelegraph license: Elements 1C and 4.

(8) An unexpired (or expired less then 5 years) General Radiotelephone license or a GMDSS Maintainers License: Element 4.

(9) A PPC indicating passage of Commercial Telegraphy Elements 1 and 2: Element 1C.

(10) A PPC indicating passage of Commercial written Element 3: Element 4.

97.507 Preparing an examination.

(a) Each telegraphy message and each written question set administered to an examinee must be prepared by a VE holding an FCC-issued General Class license.

(b) Each question set administered to an examinee must utilize questions taken from the applicable question pool.

(c) All telegraphy and written examinations must be obtained from or prepared according to the instructions of the coordinating VEC.

(d) current paragraph e.

97.511 Novice Class Technician Class General Class examinations or examinations for the 20 WPM endorsement on a General or Advanced class license.

(a) All sessions must be coordinated by a VEC.

(b) Each examination must be administered by 3 VEs who have a General Class Advanced Class or Extra Class license.

(c) The VEs must make a public announcement before administering examinations.

(d) The administering VEs must issue a CSCE to an examinee who scores a passing grade on an examination element.

(e) Within 10 days of the administration of a successful examination for either the Novice Class Technician Class General Class license or the 20 WPM endorsement the administering VEs must submit the application to the coordinating VEC.

97.513 delete

Respectfully Submitted,

The Cass County (Indiana) Amateur Radio Club
PO Box 1092
Logansport, Indiana 46947-1092

Ratified by the Board of Directors CCARC January 8, 1994

W. E. Norris K9PSR - Extra
President 219-722-3011

W. C. Wells WA8HSU - Extra
Vice-President 219-722-1338

P. M. Snider W9LVY - Extra
Secretary and Trustee of W9VMW
219-722-2102

T. A. Ervin N9PVQ - Tech
Treasurer 219-753-3635

B. Roberts N9PCO - Tech +
Emergency Coordinator
219-722-4795

D. R. Rothermel K9DVL - Tech +
Board Member at Large
219-722-1525

G. J. Giecko N9LNH - Tech
Board Member at Large
219-753-4663

J. F. Haworth N9TTU - Tech
Board Member at Large
219-753-0293

Ratified unanimously by the general membership of the CCARC at the regularly scheduled general membership meeting for January 1994 on January 15, 1994.

Members who voted "in favor."

W. Morrow K9AYF # (G)
J. Erikson N9OYL (T)
C. Weaver N9QPX (T)
D. R. Rothermel K9DVL (T+)
D. E. Hyman K9EQT # (E)
W. E. Norris K9PSR # (E)
D. Swank N9OYI # (T+)
B. Roberts N9PCO # (T+)
T. Ervin N9PVQ # (T)
D. C. Watts N9QKD (G)
J. E. Mucker N8XVE (T)
D. Wandrei pending # (T)
J. F. Haworth N9TTU # (T)
G. J. Giecko N9UNH # (T)
P. M. Snider W9LVY # (E)
W. C. Wells WA8HSU # (E)
B. Ulfers N9SBU (T)
R. C. Gharis W9ZYR * (A)
A. Dunkle N9RGQ (T)

Members who voted "opposed."

W. Pickart W9VP (E)
W. S. Tarver WA9DTT (G)
C. Mays W9HST (G)

Members not expressing an opinion by January 23, 1994.

Paul Mays *
R. Minnick K9AWH (A)
H. E. Burkhart Jr.K9HFC (T+)
J. Binkley K9OPK (A)
J. Casel KA9BAL (T+)
M. E. Bell KA9BYN (T+)
N. Felker KF9AB (A)
C. G. Azbel KF9KR (A)
E. Partridge KN9M (E)
W. L. Hammon KU9F (E)
M. S. Staublin N9KNO (T)
G. Donaldson N9KQG (T)
J. Pogue N9LAO (T)
M. A. Marchal N9LMB (T)
M. E. Laird N9LMC (T)
J. Hopper N9MBX (T)
N. Gochenour N9ONK (T)
J. Packard N9RUX (T)
S. Erickson N9TEN (T)
R. Harrell N9THJ (T)
E. C. Mayfield NT9W (E)
R. G. Lanning W9CFI * (A)
W. L. Downham W9RDF * (G)
B. Frye WA9OWH (E)
G. L. Voltz WB9OKY (G)
R. Harris WB9WTA (G)
T. Dexter KF9LN (A)

* - Charter Members
# - Members Present at the January 15, 1994 Club Meeting

THE AMERICAN RADIO RELAY LEAGUE, INC.

INTERNATIONAL SECRETARIAT OF THE INTERNATIONAL AMATEUR RADIO UNION

ADMINISTRATIVE HEADQUARTERS NEWINGTON, CONNECTICUT, U.S.A. 06111

LARRY E PRICE
W4RA PRESIDENT

GEORGE S WILSON III
W4QV FIRST VICE PRESIDENT

RODNEY J. STAFFORD
KB6ZV VICE PRESIDENT

JIM HAYNIE
W5SJB VICE PRESIDENT

JAY A HOLLADAY
W6EJJ VICE PRESIDENT
INTERNATIONAL AFFAIRS

DAVID SUMNER
K1ZZ EXECUTIVE VICE PRESIDENT
SECRETARY

JAMES E. McCOBB
K1LLU TREASURER

203-666-1541
FAX 203-665-7531

QST
OFFICIAL JOURNAL

EXHIBIT A

December 13, 1990

William C. Wells, WA8HSU
1312 West Wabash Avenue
Logansport, IN 46947-4233

Dear William:

Congratulations on qualifying for the Extra Class license. By doing so you join more than 50,000 amateurs who have done the same.

No doubt many of them share your feelings. Many others feel they've earned something that is equally available to anyone who wants to earn it, but that shouldn't be given away.

ARRL functions as a representative democracy to reconcile differences of opinion of this kind. Whether you agree with every decision that emerges from this process (and it would be pretty remarkable if you did), the process itself works pretty well. For example, over the past 15 years I can think of no issue on which the League has departed from the philosophy of protecting the privileges of presently licensed amateurs.

I encourage and invite you to become a part of the process through membership in the League. Whatever you may think of decisions made more than a generation ago, the League's elected Board these days is very responsive to membership input. One of the issues that has already been identified as needing a close look in the next couple of years is the complexity of the licensing structure. There is substantial agreement in principle with the idea that the present structure is overly complex. How to translate that principle into reality no doubt will be a subject of considerable study and discussion.

Thanks again for sharing your thoughts.

73,

Sincerely,

David Sumner, K1ZZ
Executive Vice President

EXHIBIT B

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554
AUG 2 8 1992

In Reply Refer To:
7230-D

1700C1

Mr. Frederick O. Maia
The W5YI-VEC Program
P. O. Box 565101
Dallas, Texas 75356

Dear Mr. Maia:

This is in reply to your letter of August 21, 1992, asking how to handle complaints where element credit for the higher speed telegraphy examinations has been given to a severely handicapped examinee. Because of the many variables in each situation, we can only advise you in the most general terms as to the proper procedure to follow.

The general principle is that the volunteer examiners (VEs) and volunteer-examiner coordinators (VECs) must not question the medical judgment of the physician who certifies that the person is severely handicapped, and, therefore is unable to pass the higher speed telegraphy examinations. Where the complaint is based purely upon speculation, the VEC or VE can simply advise the complainant that the physician's medical judgment will not be questioned. If, on the other hand, there is substantial evidence that element credit was given improperly, the case should be referred to this office for investigation.

The two complaint letters that you enclosed with your letter will be reviewed by our office and appropriate action will be taken.

I trust this is responsive to your inquiry.

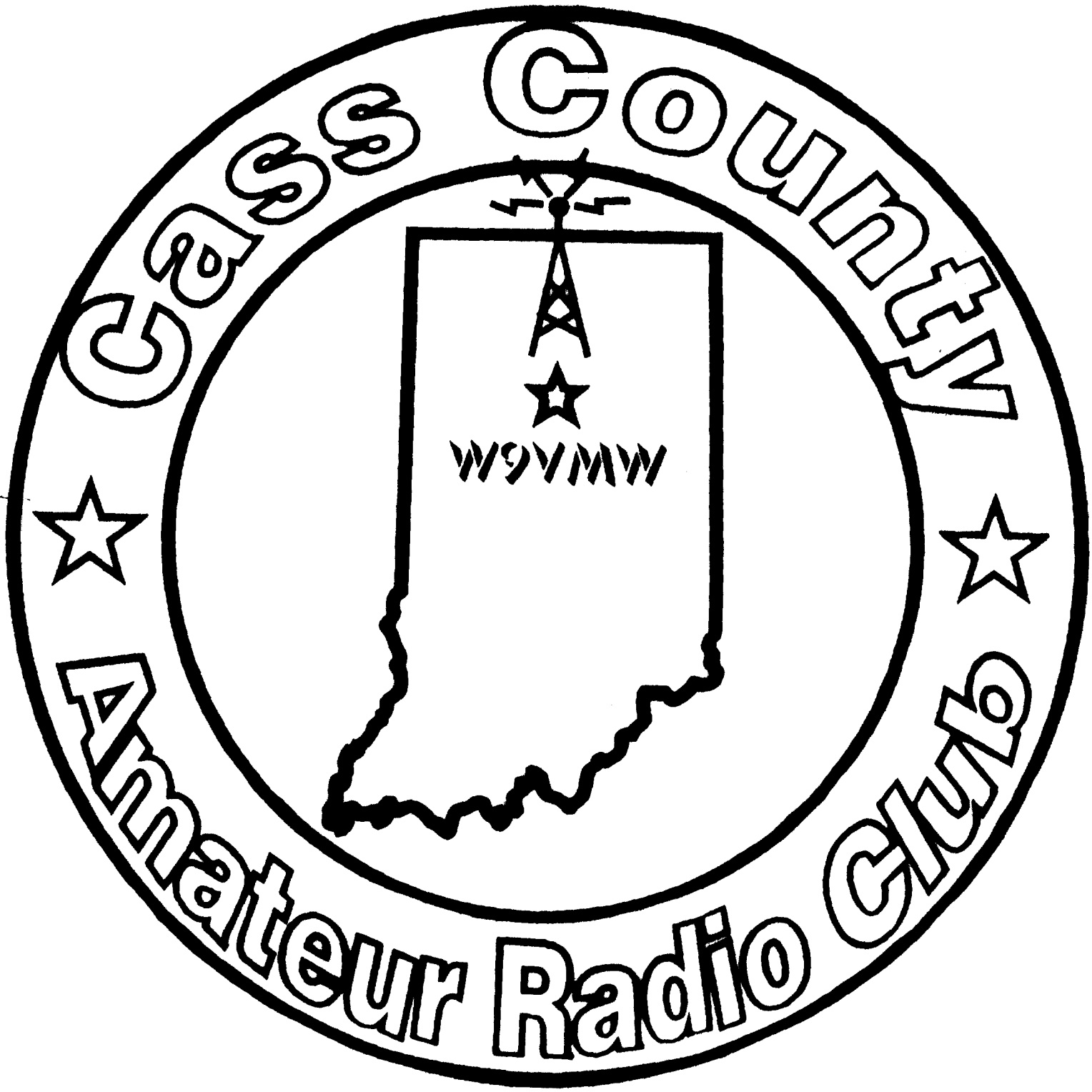
Sincerely,

John B. Johnston
Chief, Personal Radio Branch

RECEIVED

SEP 3 1992

SUNNYVALE VEC


Cass County
W9VMW
Amateur Radio Club